UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

CARLOS G. GARCIA,

Case No. 2:20-cv-00351-APG-EJY

Plaintiff

v.

ORDER

WILLIAM GITTRE, et al.,

Defendants.

I. DISCUSSION

On February 21, 2020, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action within sixty (60) days from the date of that order. (ECF No. 3 at 2). On April 17, 2020, Plaintiff filed a motion for an extension of time for an additional 90 days to file a fully complete application to proceed *in forma pauperis* or for dismissal of this case without prejudice to refile at a later date because he had not yet received his financial certificate or inmate account statement for the past six months from the Nevada Department of Corrections ("NDOC") (ECF No. 4 at 1).

The Court now grants Plaintiff's motion for an extension of time, in part, and will allow Plaintiff an additional sixty (60) days to file his fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee. As such, Plaintiff shall file a fully complete application to proceed *in forma pauperis* with complete financial attachments or pay the full \$400 filing fee on or before **June 22, 2020**. If Plaintiff is unable to file a fully complete application to proceed *in forma pauperis* with complete financial attachments or pay the full \$400 filing fee on or before **June 22, 2020**, the Court will dismiss this case without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to acquire all of the documents needed to file a fully complete application to proceed *in forma pauperis* or pay the \$400 filing fee.

II. CONCLUSION 1 For the foregoing reasons, IT IS HEREBY ORDERED that Plaintiff's Motion to Extend 2 3 Deadline or Dismissal of Above Named Case Without Prejudice to Refile at a Later Date (ECF No. 4 4) is GRANTED in part and DENIED in part. IT IS FURTHER ORDERED that on or before **June 22, 2020**, Plaintiff shall either: (1) file 5 a fully complete application to proceed in forma pauperis, on the correct form with complete 6 7 financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee). 8 9 IT IS FURTHER ORDERED that, if Plaintiff is unable to file a fully complete application to proceed in forma pauperis with complete financial attachments or pay the full \$400 filing fee on 10 or before **June 22, 2020**, the Court will dismiss this case without prejudice for Plaintiff to file a new 11 12 case with the Court when Plaintiff is able to acquire all of the documents needed to file a fully complete application to proceed in forma pauperis or pay the full \$400 filing fee. 13 IT IS FURTHER ORDERED that the Clerk of the Court shall retain Plaintiff's Complaint at 14 15 ECF No. 1-1 but will not file it at this time. DATED: April 21, 2020 16 17 18 NITED STATES MAGISTRATE JUDGE 19 20 21 22 23 24 25

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